

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

VIRTAMOVE, CORP,

Plaintiff,

v.

AMAZON.COM, INC.,
AMAZON.COM SERVICES LLC, and
AMAZON WEB SERVICES, INC.,

Defendants.

Civil Action No. 7:24-cv-30-ADA-DTG

**DECLARATION OF JEREMY A. ANAPOL IN SUPPORT OF
DEFENDANTS' OPPOSITION TO VIRTAMOVE'S PARTIAL MOTION TO DISMISS**

I, Jeremy A. Anapol, declare and state as follows:

1. I am a partner in the law firm of Knobbe, Martens, Olson & Bear, LLP. I am counsel for Defendants Amazon.com, Inc., Amazon.com Services LLC, and Amazon Web Services, Inc. (collectively, “Amazon”) in this action and I appear *pro hac vice*. I make this declaration based on my personal knowledge except where otherwise specified. I have added highlighting to some exhibits listed below to make cited information easier to find.

2. Attached hereto as Exhibit A is a true and correct copy of the “Sign up for AWS” web page showing that users are required to read and accept the AWS Customer Agreement when they sign up.

3. Attached hereto as Exhibit B is a true and correct copy of the “Sign up for AWS” web page showing that users indicate their acceptance of the AWS Customer Agreement by clicking a checkbox confirming that they “have read and agree to” its terms.

4. Attached hereto as Exhibit C is a true and correct copy of excerpts from the transcript of a Rule 30(b)(6) deposition of VirtaMove’s corporate designee, Susan Cameron.

5. Attached hereto as Exhibit D is a true and correct copy of a page from VirtaMove’s web site. I retrieved this page from <https://virtamove.com/partners/>.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 7th day of November, 2024 at Irvine, California.

/s/ Jeremy A. Anapol

November 7, 2024

Respectfully submitted,

Of Counsel:

Harper Estes
Texas Bar No. 00000083
hestes@lcalawfirm.com
LYNCH, CHAPPELL & ALSUP
A Professional Corporation
Suite 700
300 N. Marienfeld,
Midland, Texas 79701
Telephone: 432-683-3351
Telecopier: 432-683-2587

By: /s/ Jeremy A. Anapol

Joseph R. Re (*Pro Hac Vice*)
Jeremy A. Anapol (*Pro Hac Vice*)
KNOBBE MARTENS OLSON & BEAR LLP
2040 Main Street, 14th Floor
Irvine, CA 92614
Telephone: 949-760-0404
Facsimile: 949-760-9502
joe.re@knobbe.com
jeremy.anapol@knobbe.com

Colin B. Heidman (*Pro Hac Vice*)
Christie R.W. Matthaei (*Pro Hac Vice*)
Logan P. Young (*Pro Hac Vice*)
KNOBBE MARTENS OLSON & BEAR LLP
925 4th Ave, Ste 2500
Seattle, WA 98104
Telephone: 206-405-2000
Facsimile: 206-405-2001
colin.heideman@knobbe.com
christie.matthaei@knobbe.com
logan.young@knobbe.com

Counsel for Defendants
Amazon.com, Inc.,
Amazon.com Services, LLC
and Amazon Web Services, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on November 7, 2024, all counsel of record who are deemed to have consented to electronic service were served with a copy of the foregoing via the Court's CM/ECF System.

/s/ Jeremy A. Anapol
Jeremy A. Anapol